

REMARKS

In the **final** Office Action mailed February 17, 2011 the Office noted that claims 29-42, 57-64 and 66-74 were pending and rejected claims 29-42, 57-64 and 66-74. In this amendment, claims 29, 33, 36, 37, 42 and 66-71 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 29-42, 57-64 and 66-74 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

REJECTIONS under 35 U.S.C. § 112

Claims 29-42, 57-64, and 66-74 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The Applicants have amended the claims to overcome the rejections. The Applicants submit that no new matter is believed to have been added by the amendment of the claims.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 29-37, 40, 42, 57-64, and 66-74 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Baudino, U.S. Patent Publication No. 2006/0123081. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Claim 29 has been amended to recite "a step of aggregating, ***transmitted lists to provide at least one aggregated list indexing all the*** media listed in one transmitted list independently of the device where said media are located; ***and a step of providing a virtual media server managing a database containing the aggregated lists to make the database content available to a user of the first device, wherein all the media listed in the aggregated list appear virtually inside the first device.***" (Emphasis added)

Support for the amendment may be found, for example, in ¶¶ 0100, 0107, 0114, 0142 and 0156-0181 of the printed publication version of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of the claim.

Baudino fails describe, teach or suggest a virtual server (aggregated lists) indexing each media available on a network that a device is authorized to access and able to give access to the content as if it appears to be on the requesting device.

For at least the reasons discussed above, claim 29 and the claims dependent therefrom are not anticipated by Baudino.

Withdrawal of the rejections is respectfully requested.

REJECTIONS under 35 U.S.C. § 103

Claims 38 and 41 stand rejected under 35 U.S.C. § 103(a) as being obvious over Baudino in view of Chin, U.S. Patent

Publication No. 2003/0137605. The Applicants respectfully disagree and traverse the rejection with an argument.

Chin adds nothing to the deficiencies of Baudino as applied to the independent claim above. Therefore, Baudino and Chin, taken separately or in combination, fail to render obvious the features of claims 38 and 41.

Claim 39 stands rejected under 35 U.S.C. § 103(a) as being obvious over Baudino in view of O'Donnell, U.S. Patent Publication No. 2003/0137605 and in further view of Case, U.S. Patent Publication No. 2006/0136173. The Applicants respectfully disagree and traverse the rejection with an argument.

O'Donnell and Case add nothing to the deficiencies of Baudino as applied to the independent claim above. Therefore, Baudino, O'Donnell and Case, taken separately or in combination, fail to render obvious the features of claim 39.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112, 102 and 103. It is also submitted that claims 29-42, 57-64 and 66-74 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./
James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/jr